

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lisa A. Biron,

Case No. 19-cv-2938 (SRN/LIB)

Plaintiff,

v.

ORDER

Kathleen Hawk Sawyer, et al.,

Defendants.

This matter comes before the undersigned United States Magistrate Judge pursuant to a general assignment made in accordance with the provisions of 28 U.S.C. § 636 and upon the parties various Motions.

Plaintiff initiated the present action in the Third Judicial District, County of Waseca District Court, State of Minnesota. (Notice of Removal [Docket No. 1]). On November 20, 2019, Defendants removed the present case to this Federal Court. (Id.).

On November 25, 2019, Plaintiff filed a Motion for Permissive Joinder, [Docket No. 8], in which she purports to seek to add her daughter as a plaintiff in the present action. Thereafter, on December 2, 2019, Plaintiff and her daughter filed another Motion for Permissive Joinder, [Docket No. 9], in which they purport to jointly seek to add Plaintiff's daughter as a plaintiff in the present action.

On December 4, 2019, Plaintiff filed a "Motion for Emergency Injunction/Temporary Restraining Order," [Docket No. 10], in which she sought an Order of this Court preventing Defendants from interfering in the communications between Plaintiff and her daughter "regarding this case." (Motion for Emergency Injunction/Temporary Restraining Order [Docket No. 10]). In general, Plaintiff argues that such an injunction is necessary because she and her

daughter need to communicated regarding the present action so they can jointly pursue the present action. (Id.).

The Motions for Joinder and Plaintiff's "Motion for Emergency Injunction/Temporary Restraining Order" are now fully briefed. Defendants have filed a joint response in opposition to the Motions for Joinder and the "Motion for Emergency Injunction/Temporary Restraining Order" on December 20, 2019. (Defs.' Mem. [Docket No. 16]). Plaintiff filed her reply memorandum on December 30, 2019.

On January 2, 2020, the undersigned issued an Order informing the parties that the Court would take the then pending Motions under advisement on the written submissions of the parties on January 10, 2020. (Order [Docket No. 21]). At Plaintiff's request the Court directed the Clerk of Court's office to file, in this case, a letter which had been inadvertently incorrectly filed in another case; the Court permitted the Clerk of Court's office until January 10, 2020, to file said letter. (Id.). That letter has now been filed in the present case.

On January 30, 2020, Plaintiff filed her "Verified Motion for Summary Judgment and for Preliminary Injunction." [Docket No. 27]. Plaintiff's Motion seeks additional injunctive relief, as well as, an Order of this Court entering summary judgment in her favor as a matter of law. Defendants have yet to respond to Plaintiff's "Verified Motion for Summary Judgment and for Preliminary Injunction."

On February 4, 2020, Defendants filed their Motion to Dismiss. [Docket No. 29]. Plaintiff has yet to respond to Defendants' Motion to Dismiss.

To continue to further the progress of this litigation in an expeditious manner as requested by Plaintiff and to address the parties' pending Motions in the most judicious manner, the Court will address all of the parties' Motions at the same time. To do so, the Court will

establish a briefing schedule on the Motions which have not yet been fully briefed, take the Motions under advisement on the written submissions of the parties, and issue a single report and recommendation on all of the parties' Motions just as soon as its current workload permits.

Therefore, for the foregoing reasons, and based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Defendants shall file and serve their Response to Plaintiff's "Verified Motion for Summary Judgment and for Preliminary Injunction," [Docket No. 27], by no later than **Thursday, February 27, 2020;**
2. Plaintiff shall file and serve her Response to Defendants' Motion to Dismiss, [Docket No. 29], by no later than **Thursday, February 27, 2020;**
3. Defendants shall file and serve their reply memorandum within fourteen (14) days after receipt of Plaintiff's Response and in any event no later than **Thursday, March 12, 2020;**
4. Plaintiff shall file and serve her reply memorandum within fourteen (14) days after receipt of Defendants' Response and in any event no later than **Thursday, March 12, 2020;**
5. The Court will take Plaintiff's Motion for Permissive Joinder, [Docket No. 8]; Plaintiff and her daughter's Motion for Permissive Joinder, [Docket No. 9]; Plaintiff's "Motion for Emergency Injunction/Temporary Restraining Order," [Docket No. 10]; Plaintiff's "Verified Motion for Summary Judgment and for Preliminary Injunction," [Docket No. 27]; and Defendants' Motion to Dismiss, [Docket No. 29], under advisement on the written submissions of the parties as of **March 13, 2020;**

6. Thereafter no further motions by either party shall be entertained by the Court until the Court has issued a decision on the currently pending Motions; and
7. Should either party file any further motion, said motions will be summarily denied without prejudice until the Court has issued a decision on the presently pending Motions.

Dated: February 6, 2020

s/ Leo I. Brisbois
Hon. Leo I. Brisbois
U.S. MAGISTRATE JUDGE